

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

John D. West, on Behalf of Himself
and All Other Persons Similarly Situated,

Plaintiffs,

v.

AK Steel Corporation Retirement
Accumulation Pension Plan, et al.,

Defendants

Case No.: C-1-02-0001

District Judge: Hon. Sandra S.
Beckwith

Magistrate Judge: Timothy S. Black

SCHEDULING ORDER

The Court is informed that the parties have conferred with respect to an appropriate schedule for completing the parties' briefing on the motions currently pending in these proceedings, and that the parties have stipulated and agreed, subject to the Court's approval, to the following revised schedule for the remainder of the briefing, said schedule being occasioned by a one week enlargement of time previously granted defendants for the filing of their motion directed to the issues of damages and prejudgment interest, and by the desire of all counsel to present their positions in a full and fair fashion unimpeded by their other obligations attendant to the intervening holiday season:

- January 17, 2005: Deadline for Plaintiffs' opposition to Defendants' Motion for Partial Summary Judgment on the Issues of Damages and Pre-Judgment Interest, and for Plaintiffs' reply in further support of Plaintiffs' Motion for Partial Summary Judgment on the Issues of Damages and Prejudgment Interest
- January 17, 2005: Deadline for Plaintiffs' opposition to Defendants' Motion for Summary Judgment Against Ninety-Two Class Members, or, in the Alternative, to Amend the Class Certification Order
- February 16, 2005: Deadline for Defendants' reply in further support of Defendants' Motion for Partial Summary Judgment on the Issues of Damages and Pre-Judgment Interest
- February 16, 2005: Deadline for Defendants' reply in further support of Defendants' Motion for Summary Judgment Against Ninety-Two Class Members, or, in the Alternative, to Amend the Class Certification Order

Defendants have indicated that their agreement to the above proposed schedule is without prejudice to their right to contend that class notice should be accomplished before the Court rules on the partial summary judgment motions directed to the issues of damages and pre-judgment interest. Plaintiffs have indicated that they reserve the right to contend that class notice should be deferred until the Court has decided defendants' pending motion seeking summary judgment against 92 class members or in the alternative the exclusion of 92 class members from the class, inasmuch as the motion may affect the composition of the class.

IT IS SO ORDERED.

s/

Honorable Sandra S. Beckwith
United States District Judge

Date: December 22, 2004

Stipulated and Agreed:

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